

REMARKS

**Status of the Claims**

By way of the instant amendment, claims 2-4, 11-12 and 20-21 have been canceled. Thus, claims 1, 5-10, 13-19 and 22-27 remain for examination.

**Claim Rejections Under Section 112**

Claims 4, 5, 13 and 14 are objected to as indefinite for the reasons stated in paragraphs 2 and 3 of the outstanding Office Action.

By way of the instant amendment, claims 2 and 3 have been combined into independent claim 1 supplying the necessary antecedent for the "drift time". Further, claims 11 and 12 have been combined into independent claim 10 supplying the necessary antecedent for the "drift time". In a similar fashion, the necessary antecedent is not supplied for the limitation of the "reference level" found in claims 5 and 14. It is submitted that all of applicants' claims fully comply with the provisions of 35 U.S.C. § 112.

**Prior Art Rejections**

Claims 1-27 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over applicants' admitted prior art (APA) in view of Williams (6,715,007).

The Examiner's rejections are respectfully traversed.

Applicants' amended claim 1 now recites:

1. (Currently Amended) A method of adaptive synchronization of a data sink device to a data source device coupled by a USB, comprising the steps of:

receiving data at a buffer of said sink device at an average data rate representative of a data rate of said source device;

determining a data level for said buffer based on input packet size and output packet size;

comparing an accumulated data level for said buffer with a threshold level; and

correcting a clock frequency for said sink device when said accumulated data level exceeds said threshold level, said correcting step correcting the clock frequency by an amount equal to a constant K divided by a drift time required for the accumulated data level to drift from a reference level to the threshold level; and

inhibiting a next execution of said comparing step and said correcting step for a predetermined period after said correcting step.

As may be seen from the above claim 1, applicant has amended the recitation of the correcting step to recite that the correcting step corrects the clock frequency by an amount equal to a constant K divided by a drift time required for the accumulated data level to drift from a reference level to the threshold level. Further, applicant has amended claim 1 to recite an additional step of inhibiting a next execution of the comparing step and the correcting step for a predetermined period after the correcting step.

These limitations are neither disclosed nor made obvious by applicants' admitted prior art taken either singularly or in combination with Williams.

Inasmuch as the combined teachings of the prior art fails to disclose specifically recited limitations in applicants' claim 1, the Patent and Trademark Office has not set forth a *prima facie* case of obviousness under the provisions of 35 U.S.C. § 103. Similar limitations discussed above in connection with claim 1 have also been made to independent claims 10 and 19. Thus, these claims are likewise deemed patentable over the prior art.

Applicants' dependent claims are believed to be patentable by virtue of their dependency.

### **Conclusions**

The application is now believed to be in condition for allowance and an early indication of same is earnestly solicited.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

Date

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By

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